

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF  
YREKA HELD IN SAID CITY ON NOVEMBER 7, 2013

On the 7<sup>th</sup> day of November 2013, the City Council of the City of Yreka met in the City Council Chambers of said City in regular session, and upon roll call, the following were present: Bryan Foster, Rory McNeil, John Mercier and David Simmen. Absent – Robert Bicego.

Consent Calendar: Mayor Simmen announced that all matters listed under the consent calendar are considered routine and will be enacted by one motion unless any member of the Council wishes to remove an item for discussion or a member of the audience wishes to comment on an item:

- a. Approval of Minutes of the meeting held October 17, 2013.
- b. Approval/ratification of payments issued from October 18, 2013 through November 7, 2013.
- c. Approve proposal to change contract providers and authorize the City Manager to execute the necessary agreements for IRS Section 125 Cafeteria Plan with TASC FlexSystem.
- d. Adopt Resolution No. 3036 recognizing the City's Contribution to Employees Healthcare costs through IRS Section 125 Cafeteria Plan.

Following Council discussion, Councilmember McNeil moved to approve the items on the consent calendar as submitted.

Councilmember Mercier seconded the motion, and upon roll call, the following voted YEA: Foster, McNeil, Mercier and Simmen.

Mayor Simmen thereupon declared the motion carried.

Annual Development Impact Fee Report:

- e. Public Hearing – to solicit public comments regarding the City's intention to adopt a Resolution approving updates to the City's Capital Improvement Plan and Development Impact Fee Program.
- f. Discussion/Possible Action – Adopt Resolution No. 3037 approving updates to the City's Capital Improvement Plan and Development Impact Fee Program.

Finance Director Rhetta Hogan reported that Yreka Municipal Code provides for an annual review of the Capital Improvement Plan as well as an annual review of both the City's Development Impact Fee Program and the balance of funds currently maintained in the City's various Development Impact Fee accounts. Finance Director Hogan further reported that the report was made available to the public at City Hall and on the City's website, and that a notice of the public hearing was published in the Siskiyou Daily News inviting public comments.

This being the time and date scheduled for the public hearing, Mayor Simmen opened the public hearing to the audience. There being no statements or comments received, Mayor Simmen closed the public hearing, and opened Council discussion on the proposed Resolution.

Following Council discussion, Councilmember McNeil moved to adopt Resolution No. 3037 as submitted.

Councilmember Foster seconded the motion, and upon roll call, the following voted YEA: Foster, McNeil, Mercier and Simmen.

Mayor Simmen thereupon declared the motion carried.

Introduce Ordinance No. 836 An Ordinance of the City Council of the City of Yreka, amending and or repealing certain sections of the Yreka Municipal Code in Chapters: 2.04 Council vacancies, 2.18 City Accounting Officer, 2.24 Public Works Department, 2.44 Mandatory Retirement of City Officers and Employees and 2.56 General Municipal Elections.

Following the reading of the title of the Ordinance and Council discussion, Councilmember McNeil moved to waive the reading of the body of the Ordinance and to introduce Ordinance No. 836 as submitted.

Councilmember Mercier seconded the motion, and upon roll call, the following voted YEA: Foster, McNeil, Mercier and Simmen.

Mayor Simmen thereupon declared the motion carried.

Approval of all checks payable to Siskiyou County Economic Development Council from October 18, 2013 through November 7, 2013.

Councilmember Mercier announced his recusal stating that he has a conflict of interest with one of the warrants listed by reason of his employment relationship with one of the proposed payees, namely, Siskiyou County Economic Development Council, and therefore recused himself and left the Council Chamber.

Following Council discussion, Councilmember McNeil moved to approve the warrants as submitted.

Councilmember Foster seconded the motion, and upon roll call, the following voted YEA: Foster, McNeil, and Simmen.

Mayor Simmen thereupon declared the motion carried.

Councilmember Mercier returned to his seat at the Council table.

City Treasurer's Report: Approval of:

- a) Treasurer's Report to Council and Budget of Revenue and Expenditures with Actuals for the month of September 2013.
- b) Treasurer's Quarterly Report – 3rd Quarter 2013.

Following Council discussion, Councilmember McNeil moved to approve the Treasurer's Reports as submitted.

Councilmember Mercier seconded the motion, and upon roll call, the following voted YEA: Foster, McNeil, Mercier and Simmen.

Mayor Simmen thereupon declared the motion carried.

Adopt Resolution No. 3035 approving requests associated with Yreka Chamber of Commerce Special Events to be held on November 30, and December 6, 2013.

Following Council discussion, Councilmember Mercier moved to adopt Resolution No. 3035 as submitted.

Councilmember Foster seconded the motion, and upon roll call, the following voted YEA: Foster, McNeil, Mercier and Simmen.

Mayor Simmen thereupon declared the motion carried.

#### City Manager Report

Discussion/Direction to Staff – Miner Street Grant Wayfaring Sign Project, and Visitor Information/Downtown Entrance Improvements.

Benjamin Matts, Project Assistant addressed the Council reporting that City staff has been exploring the possibility of a Miner Street Grant Visitor Information and Wayfaring Sign Project as well as other improvements to entrances to Yreka's Historic Downtown, stating that these projects are focused on not only beautifying the entrances to the downtown area, but also to help guide visitors, who are unfamiliar to the area, to parking, and other helpful visitor information.

Following Council discussion, it was the consensus of the Council to direct staff to move forward with the Visitor Information sign proposals and to schedule a Council workshop after the first of the year to continue the discussion.

#### **CLOSED SESSION:**

1. Conference with Labor Negotiator Government Code Section 54957.6 (a)  
Agency negotiator: Steven Baker  
Employee Organizations: Yreka Management Team Association, Confidential Unit, Yreka City Employees Association, and the Yreka Police Administration Unit.
2. Conference with Legal Counsel - Anticipated Litigation  
Initiation of litigation pursuant to Subdivision (c) of Section 54956.9 of the Government Code: (Number of cases to be discussed – 1 - The names of the parties are not disclosed as it is believed that that to do so would jeopardize the City's ability to serve process or to conclude existing settlement negotiations to the City's advantage).

3. Pending Litigation: Conference with Legal Counsel pursuant to Government Code § 54959.9 - On the Matter of City of Yreka v. Kimberlee Abbott, et al. - Siskiyou County Superior Court Case No.11-1001.

**RETURN TO OPEN SESSION:** Upon return to open session, City Manager Baker reported that no reportable action was taken in closed session.

**ADJOURNMENT** There being no further business before the Council the meeting was adjourned.

Attest:

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David Simmen, Mayor  
Minutes approved by Council  
Motion November 21, 2013

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Elizabeth E. Casson, City Clerk